

STERN & EISENBERG, PC
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(COUNSEL FOR MOVANT)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re: Linda M. Arendacs Debtor(s) ----- WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST (Movant) Creditor/Movant v. Linda M. Arendacs Debtor(s)	Chapter: 13 Bankruptcy Case: 18-02860-HWV Judge: VAN ECK, HENRY W.
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ORDER APPROVING STIPULATION/CONSENT ORDER

AND NOW, this _____ day of _____, 2019, upon consideration of the Stipulation between Debtor and WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST, it is hereby ORDERED and DECREED that the Stipulation is APPROVED and made an Order of the Court.

BY THE COURT:

UNITED STATES BANKRUPTCY JUDGE

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In Re: Linda M. Arendacs Debtor(s)	Chapter: 13 Bankruptcy Case: 18-02860-HWV Judge: VAN ECK, HENRY W.
----- WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST (Movant) Creditor/Movant	
v. Linda M. Arendacs Debtor(s)	

**CONSENT ORDER/STIPULATION
SETTLING MOTION FOR RELIEF FROM AUTOMATIC STAY**

AND NOW, this _____ day of _____, 2019, upon the Motion of WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST, through its Counsel, Stern & Eisenberg PC, under 11 U.S.C. § 362(d) (and § 1301) for relief from the automatic stay as to Debtor's real property located at **305 Oakhill Drive, Middletown, PA 17057** (hereinafter, the "Property"), and the parties agreeing to the entry of the Order settling the Motion for Relief and for cause shown, it is hereby ORDERED AND DECREED as follows:

1. As of February 5, 2020, Linda M. Arendacs (hereinafter, "Debtor") acknowledges that Debtor is current for post-petition regular post-petition contractual monthly payments, and will be due for the February 12, 2020 payment of \$1,030.19 less \$425.88 in suspense for a total of \$604.31 due by February 12, 2020.
2. Debtors agree to continue making the regular monthly mortgage payments in the amount of \$1,030.19, and further agrees to remain current on all monthly mortgage payments. In the event the regular monthly payment changes for any reason, then the amount due pursuant to this paragraph 2 shall be adjusted accordingly
3. Payment(s) due in accordance with this Consent Order/Stipulation shall be due on or before the **12th** of each month.
4. Debtor shall make the regular monthly payments required to the Trustee.

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5. All payments due to WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST from Debtor are to be made directly to WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST at BSI Financial Services, Inc., PO Box 679002, Dallas, TX 75267-9002, making sure that Creditor's loan number appears on all payments.

6. In the event Debtor fails to make any of the payments set forth hereinabove (or payments for real estate taxes and/or hazard insurance when due) on or before their due dates, WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST and/or Counsel may give Debtor and Debtor's counsel notice of the default.

7. If any such default is not cured within ten (10) days of said notice of the default, upon certification to the court of such default, and request for Order, with a copy to Debtor and Debtor's counsel, WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST shall immediately have relief from the bankruptcy stay, per the form of the attached Order which is made part hereof as Exhibit "A".

8. Debtor shall pay \$75.00 for each Notice of Default issued by WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST as a result of Debtor's failure to make payments in accordance with this Order.

9. The failure by WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST, at any time, to file a Certification of Default upon default by Debtor shall not be construed, nor shall such failure act, as a waiver of any of WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST's rights hereunder.

10. Upon issuance of the aforesaid Order, the parties hereto further agree that WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST (and any assignee/successor-in-interest) may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation of and continuation of foreclosure and execution process through sheriff's sale concerning the Property and ejectment thereafter.

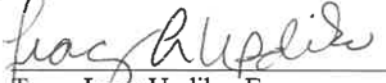
11. In the event Debtor converts to a bankruptcy under Chapter 7 of the Bankruptcy Code, Debtor shall pay all pre-petition arrears and post-petition arrears within ten (10) days from the date that the case is converted. If Debtor fails to make payment in accordance with this paragraph then WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST, through Counsel, may file a certification setting forth said failure and WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST shall be granted immediate relief from the automatic stay in the form of Order attached as Exhibit "A".


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12. Facsimile signatures shall be as valid as original signatures and this Consent Order/Stipulation may be signed in counterparts.

By signing this Stipulation/Consent Order, Debtor's Counsel represents that Debtor is familiar with and understand the terms of the Stipulation/Consent Order and agree to said terms regardless of whether Debtor has actually signed said stipulation. Seen and agreed by the parties on the date set forth below:

/s/Christopher M. McMonagle, Esq.
Christopher M. McMonagle, Esq.
Stern & Eisenberg, PC
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The Shops at Valley Square
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Telephone: (215) 572-8111
cmcmonagle@sterneisenberg.com
Counsel for Creditor
Date: February 6, 2020


Tracy Lynn Updike, Esq.
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Counsel for Debtor(s)
Date: 2/14/2020


for Charles J DeHart, III (Trustee)
8125 Adams Drive, Suite A
Hummelstown, PA 17036

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In Re: Linda M. Arendacs Debtor(s) ----- WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST (Movant) Creditor/Movant v. Linda M. Arendacs Debtor(s)	Chapter: 13 Case Number: 18-02860-HWV Judge: VAN ECK, HENRY W.
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**ORDER GRANTING RELIEF FROM AUTOMATIC STAY AND RELIEF FOLLOWING
CERTIFICATION OF DEFAULT OF CONSENT ORDER/STIPULATION**

AND NOW, this _____ day of _____, 2019, upon Motion of WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST (WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST) for relief and a Certification of Default having been filed in accordance with the Consent Order/Stipulation Resolving the Motion, it is hereby ORDERED AND DECREED that Movant, WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST ("WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE OF ACM PRIME ALAMOSA 2018 TRUST") (and any assignee/successor-in-interest) is granted relief from the stay of 11 U.S.C. §362 (and § 1301) to proceed with its mortgage foreclosure action and Sheriff's Sale (and all other rights under state and federal law) concerning the Property: *305 Oakhill Drive, Middletown, PA 17057*.

BY THE COURT

UNITED STATES BANKRUPTCY JUDGE

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